

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

**In re:**

**CASE NO.:3:14-bk-0794**

**JOSEPH LYLE, and**

**BARBARA J. LYLE**

**Debtor(s).**

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**ORDER GRANTING DEFENDANTS' MOTION TO DETERMINE SECURED STATUS  
OF BANK OF AMERICA, N.A. AND TO STRIP LIEN EFFECTIVE UPON  
DISCHARGE**

Upon consideration of the Debtors' Motion to Determine Secured Status of Bank of America, N.A. and to Strip Lien Effective upon Discharge, which was served upon all interested parties on March 28, 2014 with Local Rule 2002-4 negative notice legend informing the parties of their opportunity to object within 30 days of the date of service, no party filed an objection within the time permitted, the Court therefore considers the matter to be unopposed, it is

**ORDERED**

1. The motion to avoid the lien is **GRANTED**.
2. Creditor, Bank of America, N.A., (the "Bank") has not filed a proof of claim in this matter.
3. The Bank is the holder of a second mortgage on the Debtors' homestead property in the amount of \$154,990.00, plus additional unknown interest and costs, allegedly secured by a lien on the Debtors' homestead property at 76101 Bills Trail, Yulee, FL 32097, recorded on April 16, 2007 in the Nassau County Records in OR Book 1491, Page 1687. The property is more particularly described as follows:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT LAND LYING AND BEING IN THE COUNTY OF NASSAU AND THE STATE OF FLORIDA KNOWN AND DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTH ½ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 2, TOWNSHIP 2 NORTH, RANGE 26 EAST, NASSAU COUNTY, FLORIDA, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A RAYONIER CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SAID SOUTHEAST ¼ OF THE NORTHWEST ¼ AND RUN SOUTH 01° 20' 47" EAST ALONG THE EAST LINE OF SAID QUARTER-QUARTER, A DISTANCE OF 194.75 FEET; RUN THENCE SOUTH 89° 08' 18" WEST, A DISTANCE OF 90.0 FEET; RUN THENCE SOUTH 01° 20' 47" EAST, A DISTANCE OF 30.0 FEET; RUN THENCE SOUTH 89° 08' 18" WEST, A DISTANCE OF 1,241.92 FEET TO THE WEST LINE OF SAID QUARTER-QUARTER; RUN THENCE NORTH 01° 15' 18" WEST ALONG THE SAID WEST LINE, A DISTANCE OF 225.88 FEET TO THE NORTHWEST CORNER OF SAID QUARTER-QUARTER; RUN THENCE NORTH 89° 11' 14" EAST, ALONG THE NORTH LINE OF SAID QUARTER-QUARTER, A DISTANCE OF 1,331.57 FEET TO THE POINT OF BEGINNING.

PARCEL ID: 02-2N-26-0000-0004-0020

4. The value of Bank's interest in said property is \$0.00, and therefore is not an allowed secured claim, and shall be treated as an unsecured claim.
5. Bank's lien is void and automatically extinguished pursuant to 11 USC 506(d) upon entry of an Order of Discharge pursuant to 11 USC 727, 1141, or 1328.

DONE and ORDERED in Jacksonville, Florida, this 9th day of May, 2014



PAUL M. GLENN  
United States Bankruptcy Judge

Robert D Bernard, counsel for Debtors, is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.